



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the report submitted by Vanuatu under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*

I. Introduction

1. The Committee considered the report of Vanuatu (CRC/C/OPSC/VUT/1) at its 2236th and 2240th meetings (see CRC/C/SR.2236 and 2240), held on 21 and 22 September 2017, and adopted the present concluding observations at its 2251st meeting, held on 29 September 2017.

2. The Committee welcomes the submission of the report of the State party and the written replies to the list of issues (CRC/C/OPSC/VUT/Q/1/Add.1). The Committee also welcomes the constructive dialogue with the multisectoral delegation of the State party, which was successfully held through videoconferencing, a method that was suitable owing to the limited resources of the State party.

3. The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the combined second to fourth periodic reports submitted by the State party under the Convention (CRC/C/VUT/CO/2-4), adopted on 29 September 2017, and on the report of the State party submitted under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/VUT/CO/1), also adopted on 29 September 2017.

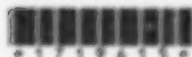
II. General observations

Positive aspects

4. The Committee welcomes the measures taken by the State party in areas relevant to the implementation of the Optional Protocol, including the adoption of:

- (a) The Family Protection Act 2008;
- (b) The establishment of the Family Protection Unit under the Police Department and of the Family Protection Task Forces in the six provinces.

* Adopted by the Committee at its seventy-sixth session (11-29 September 2017).



III. Data

Data collection

5. The Committee notes with concern that there is no mechanism for data collection, analysis and monitoring for all areas covered by the Optional Protocol.
6. The Committee recommends that the State party extend the monitoring and data collection activities of the Monitoring and Evaluation Unit within the Office of the Prime Minister to all areas of the Optional Protocol, including child prostitution, child pornography and sexual exploitation of children in the context of travel and tourism. The data should be disaggregated by, *inter alia*, sex, age, nationality and ethnic origin, region and socioeconomic status, with particular focus on children who are at risk of becoming victims of crimes under the Optional Protocol.

IV. General measures of implementation

A. Legislation

7. The Committee is concerned that the legislation of the State party does not define or criminalize all the forms of sale of children listed in articles 2 and 3 of the Optional Protocol, which constitute an offence that is similar but not identical to trafficking in persons.
8. The Committee recommends that the State party ensure that all acts and activities referred to in the Optional Protocol are fully covered under its criminal law, including all forms of sale of children.

B. Comprehensive policy and strategy

9. The Committee is concerned about the absence of a national plan of action on children that specifically includes and addresses the elimination of the sale of children, child prostitution and child pornography.
10. The Committee recommends that the State party develop a national plan of action aimed at addressing specifically all the issues covered under the Optional Protocol, and provide adequate human and financial resources for its implementation. In doing so, the State party should pay particular attention to the implementation of all the provisions of the Optional Protocol, taking into account the outcomes of the World Congresses against Commercial Sexual Exploitation of Children.

C. Coordination and evaluation

11. The Committee notes that the Ministry of Justice and Community Services is primarily responsible for the implementation of the Optional Protocol, and that the National Children's Committee has been specifically tasked with coordinating the implementation of the Optional Protocol. The Committee is, however, concerned that the Ministry and the National Children's Committee, which has not been functional since 2012, do not have the capacity and resources to effectively execute their responsibilities to coordinate and implement the protection of children under the Optional Protocol.
12. With reference to paragraphs 10 and 11 of its concluding observations under the Convention, the Committee recommends that the State party ensure that adequate financial and human resources are allocated to the Ministry of Justice and Community Services and the National Children's Committee for the implementation of the Optional Protocol and coordination of the activities on child rights under the Optional Protocol.

D. Dissemination and awareness-raising

13. The Committee is concerned that the Optional Protocol has not been disseminated and that there have been no public awareness-raising campaigns and activities since its ratification.

14. The Committee recommends that the State party disseminate widely the principles and provisions of the Optional Protocol, as provided for in the National Child Protection Policy 2016-2026, and launch public awareness-raising campaigns and capacity-building programmes for all relevant professional groups and the general public, targeting children in particular.

E. Training

15. The Committee is concerned that the State party has not implemented any training on the provisions of the Optional Protocol for relevant professionals, including immigration and law enforcement officers, judges, social workers, teachers and legislators.

16. The Committee recommends that the State party develop training programmes on the provisions of the Optional Protocol for relevant professionals, including immigration and law enforcement officers, judges, social workers, teachers and legislators.

F. Allocation of resources

17. The Committee is concerned about the lack of specific budget allocations for the implementation of the Optional Protocol.

18. The Committee recommends that the State party ensure that sufficient and targeted resources are allocated to the Child Desk under the Ministry of Justice and Community Services for the effective implementation of all areas of the Optional Protocol.

V. Prevention of the sale of children, child prostitution and child pornography ((art. 9 (1) and (2))**A. Measures adopted to prevent offences prohibited under the Optional Protocol**

19. The Committee is concerned that:

(a) There are no administrative or legal measures, social programmes or policies in the area of health and education to protect children from offences under the Optional Protocol;

(b) There are limited possibilities for birth registration, particularly for children who are not born in hospital;

(c) The harmful customary practice of exchanging children between the tribes for the purpose of keeping peace in the community has still not been criminalized, despite recent court decisions;

(d) There is no referral and follow-up system within the existing child protection system for identifying children who are at risk of becoming victims of the offences under the Optional Protocol;

(e) There is only limited information available on the efforts to protect children in vulnerable situations, including asylum-seeking and refugee children, unaccompanied migrant and undocumented children.

20. The Committee recommends that the State party strengthen its preventive measures to cover all areas of the Optional Protocol and in particular that it:

(a) Adopt administrative and legal measures, social programmes and policies in the area of health and education to protect children from offences under the Optional Protocol;

(b) With reference to paragraph 24 of its concluding observations under the Convention, expedite the expansion of birth registration in health facilities, the use of mobile registration structures, and the creation of registration at the community level to ensure that birth registration is available to all;

(c) Expedite legislation criminalizing the exchanging of children between tribes;

(d) Establish the referral and follow-up procedures provided for under the Family Protection Act, such as those relating to the posts of Registered Counsellor and Authorized Person, as well as specialized mechanisms and procedures for the identification of children at risk of becoming victims of the offences covered by the Optional Protocol, particularly among children in vulnerable situations, and strengthen prevention programmes and the protection of potential victims, particularly girls;

(e) Strengthen its efforts to ensure that prevention efforts also target children in vulnerable situations, including asylum-seeking and refugee children, unaccompanied migrant and undocumented children.

B. Measures to prevent and tackle online child sexual exploitation and abuse

21. The Committee is concerned that there is currently no policy to prevent online child sexual exploitation and abuse. The Committee is also concerned at reports of the dissemination of child sexual exploitation material through the use of mobile telephones.

22. With reference to Human Rights Council resolution 31/7 on the rights of the child with regard to information and communications technologies and child sexual exploitation, and to the outcomes of the 2014 London summit and the 2015 Abu Dhabi summit of the We Protect Global Alliance to End Child Sexual Exploitation Online, the Committee recommends that the State party:

(a) Adopt the draft cybercrime policy on preventing and addressing online child sexual exploitation and abuse proposed by the Telecommunication and Radio Communications Regulator;

(b) Launch a public awareness-raising education programme and introduce mandatory school education on online behaviour and safety, reporting of online child sexual exploitation and abuse offences, including over mobile telephones, and ensure that children participate in the development of policies and practices in that regard.

VI. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3, 4 (2) and (3) and 5-7)

A. Existing criminal or penal laws and regulations

23. While noting the ongoing review of the Penal Code in relation to sexual offences, the Committee is concerned that criminal law in the State party does not define and criminalize all forms of offences covered by the Optional Protocol and does not adequately protect all children under the age of 18. In particular, the Committee is concerned that:

(a) There are no provisions under the Penal Code that punish all the acts enumerated and defined as sale of children under the Optional Protocol;

(b) Exploitation of children for prostitution exists on a transactional basis, despite being criminalized under the Penal Code.

24. The Committee recommends that the State party continue to revise and bring its Penal Code and other relevant legislation into full compliance with articles 2 and 3 of the Optional Protocol. In particular, the State party should:

(a) Clearly stipulate that a child under 18 years of age, irrespective of the legal age of consent to sexual activity, is unable to consent to any form of sexual exploitation, including child pornography and child prostitution;

(b) Define and criminalize all forms of sale of children, in conformity with articles 2 and 3 of the Optional Protocol;

(c) Adopt additional legislative, administrative and practical measures to eliminate the exploitation of children for prostitution.

B. Impunity

25. The Committee is concerned about the lack of information regarding the number of investigations, prosecutions and convictions of perpetrators there have been for offences under the Optional Protocol.

26. The Committee recommends that the State party take all measures necessary to ensure that all cases of sale of children, child prostitution and child pornography are adequately documented and investigated effectively and that the perpetrators are prosecuted and punished with sanctions that are commensurate with the gravity of their crimes.

C. Liability of legal persons

27. The Committee is concerned that there is no criminal liability for legal persons under the State party's legislation for the offences of sale of children and child prostitution.

28. The Committee recommends that the State party establish the criminal liability of legal persons for all offences defined in articles 2 and 3 of the Optional Protocol.

D. Extraterritorial jurisdiction

29. The Committee notes that the State party's legislation provides for extraterritorial jurisdiction, but is concerned about the lack of information on whether the legislation includes all offences covered by the Optional Protocol.

30. The Committee recommends that the State party establish extraterritorial jurisdiction over all acts prohibited under the Optional Protocol, including those that are not fully criminalized under the Penal Code, such as the sale of children.

E. Extradition

31. The Committee is concerned about the absence of legislation on extradition concerning all offences covered by the Optional Protocol.

32. The Committee recommends that the State party take all measures necessary to include offences under the Optional Protocol in all future extradition treaties and consider using the Optional Protocol as a basis for extradition in the absence of any extradition treaty.

VII. Protection of the rights of child victims (arts. 8 and 9 (3) and (4))

A. Measures adopted to protect the rights and interests of child victims of offences prohibited under the Optional Protocol

33. The Committee is concerned that:

- (a) The system in place for identifying victims of child pornography, child prostitution and the sale of children, including trafficking, is inadequate and inefficient;
- (b) The Penal Code does not contain any provisions concerning criminal proceedings and special protection measures for children;
- (c) No measures have been taken to ensure legal, psychological or other training for those who work with victims of the offences under the Optional Protocol;
- (d) Child victims of offences under the Optional Protocol are not de facto capable of seeking compensation for acts committed against them owing to limited support, despite the de jure existence of provisions for such compensation.

34. In the light of article 9 (3) of the Optional Protocol, the Committee recommends that the State party:

- (a) Establish mechanisms and procedures for the early identification of child victims of offences under the Optional Protocol and ensure that those responsible for their identification, including law enforcement officers, border and immigration authorities, judges, prosecutors, social workers and medical staff, are trained in children's rights, child protection and child-friendly interviewing skills;
- (b) Consider revising the Penal Code and including in it provisions concerning criminal proceedings and special protection measures for children;
- (c) Seek bilateral, multilateral, regional and international assistance in implementing these recommendations.

B. Recovery and reintegration of victims

35. The Committee is concerned that there are no existing public programmes that provide child victims of sale, prostitution and pornography with assistance in social reintegration and physical and psychological recovery.

36. The Committee recommends that the State party take all measures necessary to ensure that child victims of offences covered by the Optional Protocol are provided with appropriate assistance, including for their physical, psychological and full social reintegration.

VIII. International assistance and cooperation (art. 10)

Multilateral, bilateral and regional agreements

37. In the light of article 10 (1) of the Optional Protocol, the Committee encourages the State party to continue to strengthen international cooperation through multilateral, regional and bilateral arrangements, especially with neighbouring countries, including by strengthening procedures and mechanisms for coordinating the implementation of such arrangements, with a view to improving prevention, detection, investigation, prosecution and punishment of those responsible for any of the offences covered under the Optional Protocol.

IX. Implementation and reporting

A. Follow-up and dissemination

38. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented, including by transmitting them to the relevant government ministries, Parliament and national and local authorities for appropriate consideration and further action.

39. The Committee recommends that the report and the written replies to the list of issues submitted by the State party and the present concluding observations be made widely available, including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate on and awareness of the Optional Protocol and its implementation and monitoring.

B. Next periodic report

40. In accordance with article 12 (2) of the Optional Protocol, the Committee requests the State party to include further information on the implementation of the Optional Protocol and the present concluding observations in its next periodic report to be submitted in accordance with article 44 of the Convention.



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Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the report submitted by Vanuatu under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 16 June 2017. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide updated statistical data disaggregated by sex, age, nationality, ethnic origin, socioeconomic background and geographic location (whether urban or rural) on the number of:

(a) Cases of sale of children, child prostitution and child pornography, as well as information on action taken in those cases, particularly with regard to the prosecution of perpetrators;

(b) Children who have received assistance for their physical and psychological rehabilitation, reintegration and compensation.

2. Please indicate whether the State party plans to adopt a specific plan of action concerning the sale of children, child prostitution and child pornography.

3. Please provide updated information on the measures taken to systematically raise awareness of the Optional Protocol among the general public, among professionals who work with or for children and among children themselves.

4. Please provide updated information on the human, financial and technical resources specifically allocated and spent for the implementation of the Optional Protocol.

5. Please provide updated information on the measures taken to address the root causes of offences under the Optional Protocol, in particular traditional customs such as betrothal of young girls and exchange of children. Please also clarify whether mechanisms exist to detect and identify children at risk of becoming victims of the offences under the Optional Protocol.

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6. Please provide updated information on whether the current legislation prohibits all offences under the Optional Protocol. Please provide information on any plans to amend the Penal Code in that regard.
 7. Please provide information on what specific measures have been taken to combat the sexual exploitation of children, child prostitution, child pornography, trafficking in children and traditional customs involving the sale of children in northern Tanna. Please also provide an update on the State party's cybercrime policy.
 8. Please clarify whether legislation establishes the State party's extraterritorial jurisdiction over all the offences in the Optional Protocol. Please provide information on whether the Optional Protocol may be used as a legal basis for the extradition of a person suspected of committing any of the offences covered by the Optional Protocol in the absence of a bilateral extradition treaty.
 9. Please provide updated information on the measures taken by the State party to ensure that child victims of the offences covered by the Optional Protocol are not stigmatized and have access to efficient, appropriate and long-term programmes and support systems to facilitate their reintegration and their physical and mental rehabilitation.
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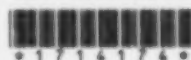
**List of issues in relation to the report submitted by Vanuatu
under article 12 (1) of the Optional Protocol to the
Convention on the Rights of the Child on the sale of children,
child prostitution and child pornography**

Addendum

Replies of Vanuatu to the list of issues*

[Date received: 9 August 2017]

* The present document is being issued without formal editing.



1. Please provide statistics (disaggregated by sex, age, nationality, ethnic and social background, rural or urban location) on the number of:

(a) Cases of sale of children, child prostitution, child pornography, and information on the actions taken in those cases, particularly with regard to the prosecution of perpetrators; and

1. The record available does not stipulate date on cases of sale of children, however other related sexual related offence under Penal Code are recorded through the Family Protection Unit yearly report.

2. Family Protection Unit (FPU) was initially formed as the Sexual & Child Abuse Unit. It is a unit established in the Vanuatu Police Force (VPF) in 1995 under the Criminal Investigation Department (CID), and formalized in January 1998 after the VPF strategic review of 1997, which considered it important to address immorality offences, which at that time was in a rapid increase.

3. The focus of the Unit at the time was to deal with various immorality offences and child's physical abuse case; and to provide awareness programs in collaboration with other stakeholders in the country and the Pacific region.

4. The Vanuatu Police Force Reports provide the statistics that outline the common sexual offences received in FPU in 2016, different tables and graphs showing the total of offences received from 1st January to 31st December 2016, offences received each month, offences detected, undetected, convicted, solved by chiefs and percentage detected.

5. The common sexual assault cases are stated as follows; Rape; Unlawful Sexual Intercourse; Aggravated Sexual Assault with a Child; Incest; Indecent act in Public Place; Indecent assault; Sexual Intercourse With Girl Under Care and Protection; Abduction; Prostitution; Homosexual; and others threatening gestures namely; Intentional Assault, Abusive Words, Unlawful Entry, Criminal Trespass, Damage to Property. Amount to 121 recorded in 2016.

6. Both sexual and physical abuse offending across the world are typically grossly under-reported, so we need to bear in mind that these figures minimized by this under-reporting and also by any shortcomings in the accuracy of the recording methods.

7. Report of Case under the head above is summarise in the table below

Table 1

Sexual offences reported in port vila from 1st January to 31st December 2016

Offences	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
SIWC	3												
Rape/Attempt		1	1	3	3	3	4	0	0	5	0		23
LA/IM/IAPP	3	3	1	1	0	5	7	2	1	6	1		30
Incent	0	0	0	1	4	0	1	0	0	1	0		7
U.S.I	4	1	0	0	2	1	4	0	0	1	1		14
S.I.W.G.U.C.P	0	0	0	0	1	1	0	0	0	1	0		3
H.A.P	0	1	0	0	0	0	0	0	0	0	0		1
Others	2	4	0	1	0	2	3	0	0	4	0		16
Total	12	10	2	6	10	12	19	2	1	18	2		94

U.S.I	-	Unlawful Sexual Intercourse
SIWC	-	Sexual Intercourse without Consent
LA	-	Indecent Assault
IM	-	Indecent Matter
IAPP	-	Indecent Act in Public Place
SIWGUCP	-	Sexual Intercourse with girls under care and protection.
HAP	-	Homosexual, Abduction and Prostitution

Table 5

Total number of sexual offences reported each year in port vila since 2005 to 2016

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Offences committed	191	107	190	83	77	136	110	210	242	66	111	94

- (b) Children who have received assistance for their physical and psychological rehabilitation, reintegration, and compensation.

8. There is no data provided under these categories.

2. Please indicate whether the State party plans to adopt a specific plan of action concerning the sale of children, child prostitution and child pornography

9. Government has not yet provided a baseline statistic on the sale of children, child prostitution and child pornography. The current indicator presented by the Family Protection Unit, the Vanuatu Police Force and consecutively the Department of Correctional Services on the subject has not indicative. However, with the assistance of development partners and Non-Government organisation a baseline statistics would be provided and render the Government to develop plan in addressing the subject.

3. Please provide up-to-date information on the measures taken to systematically raise awareness on the Optional Protocol among the general public, professionals who work with or for children and among children themselves

10. The National Child Protection Policy 2016 – 2026 has provide the strategic area that under these policy framework with it implementation plan in preventive strategy of abuse. The development of the policy by the MICS has allow the Government to evaluate the available mechanism and the gaps that will be partly addressed by the Policy.

11. Given the long term impact of abuse and exploitation on children's developmental outcomes, the long term impact on communities' economic and social outcomes, and financial burden on families/State of responding to child abuse, significant focus needs to be put on prevention and early identification/intervention.

12. This Policy recognizes that many communities are already actively engaged, vigilant and responsive to at-risk families and that early intervention can help to mitigate protection risks for children either directly or indirectly. More needs to be known however about the dynamics, challenges and strengths of existing mechanisms so that appropriate support can be given to strengthening and expanding them.

13. Providing trainings and building the skills and capacity of community leaders, chiefs, church groups, village health worker, youth groups, men and woman groups including families at all levels of the society to apply child protection in practical ways is another form of early intervention, and can include a) strengthening children's self-protection and communication skills; b) strengthening mediation and basic counselling skills amongst women's and religious groups; c) strengthening parents' skills and confidence in applying positive discipline; and d) supporting schools to become child-safe and violence-free. Success in these areas however needs to be measured through evidence that practice has changed rather than through workshops that have been held.

14. With appropriate capacity-building, potential stakeholders who can be drivers of positive change include Chiefs, men's groups, the Church, Village Health workers, women's groups, youth and children's groups, VWCs and their affiliated village Committees Against Violence Against Women (CAVAWs), schools and Community Child Protection Committees.

15. Field based research to assess the child protection models piloted in Tafea, Penama and Sanna by MICS and Save the Children, respectively, will significantly help to inform the development of a community-based indicative model for replication across the country.

16. The policy objective shall strengthen community based prevention and early intervention mechanism and develop and replicate nationally an indicative community base child protection model. The key activities that is layout under this objectives are as follows:

- (i) Undertake baseline study to assess early intervention and identification;
- (ii) Develop a community facilitation training package;
- (iii) Develop guidelines and indicators on early intervention and identification to guide stakeholders;
- (iv) Undertake comprehensive field based research to evaluate current community-based Child Protection models being piloted by MJCS, Save the Children and UNICEF in 3 Provinces;
- (v) Drawing on lessons learned from international and national experience and research, develop a strategy to progressively and appropriately replicate a community-based child protection model.

17. The MJCS and the other leading stakeholders will be tasked to monitor the major key indicator that the Community based prevention and early intervention mechanism are coordinated and replicated.

4. Please provide updated information on the human, financial and technical resources specifically allocated and spent for the implementation of the Optional Protocol

Human Resources

18. The Child Desk under the Ministry of Justice and Community Services is recruiting a Child Protection Office to implement the Child Protection Policy which include deliverable of the Optional Protocol. In terms of the budgetary support, there has been no budget support allocated specifically for the implementation of the Optional Protocol. The MJCS budget allocated to the Child Desk will be proportionately used to implement parts and partial of the Optional Protocol under the implementation of the National Child Protection Policy.

5. Please provide updated information on the measures taken to address root causes of offences under the Optional Protocol, in particular traditional customs such as betrothal of young girls and exchange of children

19. There is no specific measures implemented by Government to address the traditional practises that are criminalise under the Optional Protocol. With the current collective Government initiatives, namely the Malvatumauri Council of Chief and discouraging the use of monetary value for bride price, the Court decision in the two consecutive cases in regards to offences under the protocol and specifically the illegitimized of the traditional practise has taken its toll. The collective awareness though all mean over the last three years by Government and stakeholders on the rights of children and access to education has contribute the acceptable perception that defeat the traditional norm of betrothal of young girls and exchange of children.

20. The Vanuatu Law Commission has made recommendation for the alteration of female age of marriage and MJCS will be submitting papers for the amendment to Government. The implementation of the National Child Protection Policy by the wider stakeholders will be partially address the non-acceptance of the traditional practises.

Please also clarify whether mechanisms exist to detect and identify children at risk of becoming victims of the offences under the Optional Protocol.

21. Government through the leading Ministries does not have any exist mechanism to detect and identify children at risk of becoming victims of the offence under the Optional Protocol, however the Government initiatives in achieving the purpose of the Family Protection Act through the piloting of Registered Counsellor and Authorise Peron under the

Act should facilitate the referral mechanism that will allow Government to detect and identify children at risk.

6. Please provide updated information on whether the current legislation prohibits all offences under the Optional Protocol

22. The Penal Code Act [CAP 135] criminalise the offences under the Optional Protocol. Under section 101, the Penal Code (Amendment) Act No.17 of 2003, provide the definition of act of child prostitutions and clearly criminalise the proceeds of the child prostitution. Section 101(d) further provide the criminalisation of the person who engage in the proceed of using children for pornographic purposes. Further amendment to the Penal Code was passed by parliament under the Penal Code (Amendment) Act No 15 of 2016 which elevate the maximum penalty of all morality offences under the Act and provide the specific provision for Abduction of a person under 18 years of age and the subsequently increase the maximum sentence of abduction.

Please provide information on any plans to amend the Penal Code in this regard.

23. Section 101 of the Penal Code CAP 135 prohibits the procuring, aiding or facilitating the prostitution of another person, or sharing in the proceeds of or being subsidized by the prostitution of another person.

24. MJCS is looking in amending the provision by inserting new provision prohibiting coercion of adults or children into sex work or prohibiting trafficking or sex tourism.

7. Please provide information on what specific measures have been taken to combat sexual exploitation of children, child prostitution, child pornography, trafficking of children and traditional customs of sale of children in North Tanna. Please also provide an update on the cyber-crime policy

25. The piloting Family Protection Act and the amendment of the Penal Code through the increasing of the penalties provision is the current legislative initiatives in addressing the offences under the Optional Protocol. The Government through the Vanuatu Correctional Services and the Vanuatu Policy - Family Protection Unit and the MJCS has collectively itemise the necessity in amendment of laws, awareness and advocating as the collective efforts in combating morality offences.

26. In addition to the National Child Protection Policy, the MJCS will be working on the National Child Policy and the drafting of the Child Protection Bill as one of the main legislative objective.

27. The Vanuatu Law Reform Commission has review the existing law especially Penal Code and with specific recommendation, the Ministry of Justice and Community Services will be coordinating the review of these law and the implementation of the National Child Protection Policy.

Cyber-Crime

28. National Cyber Crime Policy 2013 of Government set an standalone objectives in Creating a child online protection working group (COPWG) to identify areas of child online protection (such as technical protection measures, curriculums for school and information material for parents and guardians) that need to be integrated in Vanuatu. The COPWG shall also evaluate different technical measures that services providers must introduce to protect children online and parameters that shall be included in a report submitted to guardians upon request. This shall include recommendations for measures how to prevent an abuse of the service. A report shall be submitted to the NCSC until December 2013.

29. Another objective of the Policy institute that each commercial provider of Internet access in Vanuatu shall be obliged to provide — upon request of the user — a restricted Internet access that includes available technical measures aiming to block content that is not appropriate for children. Furthermore, the provider shall be obliged to provide — upon

request of the user — a special reporting for parents or guardians that highlights the services used and other parameters defined by the Child Online Protection Working Group ("COPWG").

30. The Government has commenced the consultation stage of strengthening the legal framework as one of the main policy statement in order to protect openness and a safe environment Vanuatu. The aim to have a reliable legal framework that reflects the uniqueness of the country as well as international best practices. The Government stakeholder commence with the workshop and consultation in June 2017 with the objectives of review of the existing Government policy and legislation related to Cybersecurity and Cybercrime. With the Assistance of Attorney General Office from Australia, the particulars of the meeting looks into definitions, penal legislation, investigation instruments of law enforcement, admissibility of electronic evidence, liability of Internet Service Providers (ISPs), and specific provision to protect children online and international cooperation.

31. The review shall include the identification of existing provisions that could be utilized in relation to Cybersecurity, a comparison with international best practices, a gap analysis, suggestions for amendments and the related drafting instructions. This activity shall be carried out in close cooperation with the State Law Office and built upon existing work carried out in the region (e.g. the assessment of legislation within the ICB4PAC project). A report including the drafting instructions shall be submitted until October 2013.

32. Based upon the report and the drafting instructions the State Law Office will prepare the draft legislation until December 2013.

33. The Office of the Public Prosecutors and the Vanuatu Police Force are looking at developing a Cybercrime policy and associated cybercrime legislation based on the Budapest Convention.

34. During the 2 day training Office of Government Chief Information Office presented on the National Cybersecurity Policy and discussions were held for OGCIO to provide the opportunity through a thorough and full consultation which members of the police and other public legal organisations present at the training strongly requested to provide input to the draft bill. They requested to review the ITU template against the Budapest Convention to assess best fit for Vanuatu. OGCIO rep agreed to work closely with the participants of the training and to keep all updated on status of the draft bill.

8. Please clarify whether legislation establishes the State party's extraterritorial jurisdiction over all the offences in the Optional Protocol. Please provide also information on whether the Optional Protocol may be used as a legal basis for the extradition of a person suspected of the offences covered by the Optional Protocol in the absence of any bilateral extradition treaty

35. The Extradition Act of 1998 provides for prosecution of offenses committed by perpetrators either in the country of origin or in the country which the offense was committed under extradition arrangements. Since there has been no case that render the application of the Extradition Act under the committal of the offence under Penal Code and Optional Protocol, the persuasive effect of the Optional Protocol under the Ratification Act is not yet been applied.

9. Please provide updated information on the measures taken by the State party to ensure that the child victims of the offences covered by the Optional Protocol are not stigmatised and have access to efficient, adequate and long term programmes and support systems to facilitate their reintegration and their physical and mental rehabilitation.

36. The MJCS Justice and Community Sector strategies 2014-2017 provide the Government policy directive in ensuring that measure are put in place to ensure that victims of offences have access to a responsive and protective services.

37. Strategy 3 of the MJCS Sectors provide the road through the defining of the roles of the institution within the sector which can provide system of support to victim.
38. Vanuatu Women Centre (VWC): The VWC's mission is to eliminate violence against women and girls in Vanuatu. It provides counselling, legal services, information on violence against women and holds community awareness, workshops and trainings on domestic violence.
39. VWC has a network of 41 island-based Committees against Violence against Women (CAVAWs) that undertake local community awareness activities in remote rural communities and assist women and children living with violence. VWC also has an active national network of male advocates who work with VWC, its Branches and the CAVAWs to promote women's human rights and prevent and address violence against women and children in their communities. All these core features make up the VWC's program to prevent and respond to violence against women and children. VWC's program goal is to eliminate violence against women and children throughout Vanuatu. The expected long-term outcome is effective prevention and response to violence against women and children.
40. Vanuatu Police Force (VPF): In June 2015, the Vanuatu Police Executive approved a new Family Violence Policy, Standard Operating Procedures (SOP) for Family Violence Prevention and Response, and a comprehensive Family Violence Training package. This Policy and supporting SOP and Training were developed as part of the partnership between Vanuatu Police Force and the Pacific Prevention of Domestic Violence Programme (PPDVP).
41. Implementation of the new Policy, SOP and Training will lead to increased capacity and capability of all Police officers to provide a better service to victims and communities in responding to and preventing family violence. It will also provide better information for the decision making of the Police Executive to manage family violence related risks.
42. The VPF also have a Family Protection Unit (FPU) that assists victims of violence.
43. Completion of review of Victim Support services within the court proceeding conducted in October 2016, the recommendation accepted and partly implemented by the Government are:
 - (i) For the Public Prosecutor's Office to establish and recruit the post of Victim Support Officer in 2017.
 - (ii) The VSO will provide the necessary support to the victim throughout the court process. Another recommendation is the waiving of all medical report and hospital consultation fees for victims of crime, especially women and child victims of sexual and violence offences and waiving of birth certificate fees for girls under 15 who have been sexually assaulted.
 - (iii) Vanuatu Police to be trained in the FPU Standard Operating Procedure by the end of 2017. The SOP to be translated into Bislama and posted in all police stations.
 - (iv) Criminal Procedure Code to be amended to provide vulnerable victims the choice to give evidence in closed court, have a support person present and have the defendant shielded by a screen.
 - (v) Victim Impact Statements to be requested and provided in all Supreme Court sentencing cases, unless the victim is unavailable or unwilling to provide a statement.
44. The general victim support strategies currently is envisioned to provide the plate form for a support systems to facilitate their reintegration and their physical and mental rehabilitation.